

**New York Highway Law
Article 8 – Town Highways**

§ 212-a. Abandoning of parts of town highways. Whenever, pursuant to this chapter or under the provisions of any statute, any town road shall have been widened, straightened, extended, drained, paved or otherwise improved and in the process thereof a town shall have acquired from an adjacent owner certain lands necessary for said right-of-way by purchase, condemnation or as a gift and where under such circumstances either the grantor of said new right-of-way shall own the property on both sides thereof for the full length of the new taking or the consent in writing of any and all other owners within such area be given, and there shall be sections of the old road as it existed before said improvement which are of no further use for highway purposes to said town, the town board of said town in which said land is situated, upon the recommendation of the town superintendent of highways, may adopt a resolution, with the consent of the county superintendent of highways, to **abandon to the abutting owner or owners such sections or parts of the old road as it existed before said improvement which are of no further use for highway purposes, providing the road after such abandonment shall be not less than three rods in width, and the supervisor of said town is hereby authorized to execute and acknowledge in the name of the town and affix the seal of the town to a quit-claim deed or deeds of the land so abandoned and to deliver the same to the abutting owner or owners for such consideration and upon such terms and conditions as the town board of the said town shall deem proper.**

The adoption of the hereinbefore mentioned resolution by the town board shall be an immediate abandonment and discontinuance of the use for highway and street purposes of said sections or parts of the old road described in said resolution without any further or other proceedings.